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TAGS: PLUS

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SUBJECT: LOS; REQUEST FOR US POSITION ON THE MEASUREMENT
OF THE ECONOMIC ZONE

REFS: (A) STATE 84997, (B) STATE 83092, (C) BAMAKO 957,

(D) BAMAKO 1279

1. FOLLOWING INFOR ADDRESSES QUESTIONS RAISED IN REFTELS.

2. THE BASELINE FROM WHICH THE UNITED STATES WILL MEASURE ITS ECONOMIC ZONE WILL BE SAME AS CURRENTLY UTILIZED FOR MEASUREMENT OF TERRITORIAL SEA. PRINCIPLES UTILIZED ESTABLISHED BY VARIOUS ARTICLES OF EXISTING GENEVA CONVENTION ON TERRITORIAL SEA. THESE ARTICLES CURRENTLY INCORPORATED ALMOST INTACT IN ARTICLES 4-13 OF SINGLE NEGOTIATING TEXT (SNT). GREATER PART OF LENGTH OF COAST BASELINE CONFORMS TO LOW-WATER LINE AS DEPICTED ON OFFICIALLY RECOGNIZED CHARTS OF THE NATIONAL OCEAN SURVEY (NOS DEPARTMENT OF COMMERCE). FOR ATLANTIC AND GULF COASTS THE LOW-WATER LINE SEGMENTS MEAN LOW WATER AS DETERMINED BY NOS. FOR PACIFIC, NORMAL BASELINE MEANS LOWER LOW WATER.

3, AS PERMITTED BY ARTICLES IN THE GENEVA CONVENT ON (8ND SNT), CERTAIN BAY-AND RIVER-CLOSING LINES HAVE BEEN DRAWN TO ENCLOSE THE INTERNAL WATERS OF THE UNITED STATES. THESE LINES MEASURE LESS THAN 24 NAUTICAL MILES, THE MAXIMUM PERMITTED IN CONVENTION. TWO AREAS OF HISTORIC WATERS--LONG ISLAND SOUND AND SANTA MONICA BAY--HAVE ALSO BEEN INCLUDED WITHIN INTERNAL WATERS BY BASELINES.

4. ALTHOUGH PERMITTED IN CONVENTION AND SNT, UNITED STATES HAS NOT TO DATE DRAWN STRAIGHT BASELINES ALONG CERTAIN COASTLINES WHICH ARE DEEPLY INDENTED AND CUT INTO OR WHICH ARE FRINGED WITH ISLANDS. FYI: SUBJECT CURRENTLY UNDER REVIEW BY OFFICE OF MANAGEMENT AND BUDGET.

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5. UNITED STATES BASELINE AND THE LIMITS OF ITS THREE-MILE TERRITORIAL SEA AND NINE-MILE CONTIGUOUS ZONE DEPICTED ON SERIES OF 155 CHARTS COVERING UNITED STATES AND APPROXIMATELY 10 ADDITIONAL CHARTS FOR GUAM, VIRGIN ISLANDS AND PUERTO RICO. LATTER CHARTS HAVE NOT YET BEEN PUBLISHED. WORK WILL PRESUMABLY CONTINUE FOR OTHER TERRITORIES, E.G., AMERICAN SAMOA, MICRONESIA, ETC., IN THE FUTURE.

6. OFFICIAL BASELINES DEPICTED ON NAVIGATIONAL CHARTS DRAWN ON MARCATOR PROJECTION. MARCATOR CHARTS HAVE INHERENT PROBLEMS OF ERROR OVER LONG DISTANCES DUE TO MATHEMATICS OF PROJECTION. ULTIMATE OUTER LIMITS OF ECONOMIC ZONE WILL, AS A RESULT, BE DERIVED BY COMPUTERS TO INSURE LIMITS EXTEND PRECISELY 200 NAUTICAL MILES FROM SALIENT POINTS ON THE NATIONAL BASELINE.

7. WITH REGARD TO ARCHIPELAGOS, US DOES NOT RPT DOES NOT RECOGNIZE ARCHIPELAGO CLAIMS AT THIS TIME. LOS SINGLE NEGOTIATING TEXT INCLUDES ARTICLES ON ARCHIPELAGOS, ALONG WITH PRECISE RULES FOR SETTING ARCHIPELAGIC BASELINES.

8. WITH REGARD TO ISLANDS, USDEL POSITION IS THAT THEIR ECONOMIC ZONES SHOULD BE MEASURED FROM A BASELINE DETERMINED BY THE SAME CRITERIA AS THE BASELINES OF THE MAINLAND. AS YET UNRESOLVED ARE THE PRECISE TECHNICAL CRITERIA THAT WILL BE APPLIED TO ISLANDS AND ISLAND GROUPS REGARDING THEIR ABILITY TO CAST AN ECONOMIC ZONE AND THE CONTINENTAL MARGIN ATTACHED THERETO. IT ISHOPED THAT THESE MATTERS WILL BE SUCCESSFULLY RESOLVED IN THE FINALIZED LOS TREATY. SISCO

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